

# SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/SB 1470

SPONSOR: Committee on Home Defense, Public Security, and Ports and Senator Haridopolos

SUBJECT: Seaport Security

DATE: March 29, 2004      REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Dodson</u>	<u>Skelton</u>	<u>HP</u>	<u>Fav/CS</u>
2.	_____	_____	<u>CJ</u>	_____
3.	_____	_____	<u>ATD</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

**I. Summary:**

This bill provides that all public or private entities operating on public property on an active public seaport must conform to the statewide minimum seaport security standards provided in s. 311.12, F.S.

This bill amends section 311.12 of the Florida Statutes.

**II. Present Situation:**

Florida has fourteen public, commercial seaports, as defined in s.311.09, F.S. The seaports are designated for purposes of participating as members of the Florida Seaport Transportation Economic Development (FSTED) Council. The purpose of the FSTED Council is to review and evaluate construction and infrastructure projects to “improve the movement and intermodal transportation of cargo or passengers in commerce and trade...”<sup>1</sup> through state funding provided by the Legislature. The Council’s recommendations are given to the State Department of Transportation for inclusion in its legislative budget request, pursuant to s. 311.09(10), F.S.

Statewide minimum standards for seaport security are set forth in the “Port Security Standards - Compliance Plan” (Compliance Plan) provided to the Legislature on December 11, 2000. Each seaport must maintain a security plan that is tailored to meet the individual needs of the port and assures compliance with the statewide standards. Section 311.12, F.S., provides statewide minimum security standards for the following public, commercial seaports: Jacksonville, Port Canaveral, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.

<sup>1</sup> Section 311.07(1), F.S.

Pursuant to s. 311.12(1)(b), F.S., the ports of Fort Pierce and Port St. Joe are currently in “inactive” status for purposes of compliance with state seaport security standards. This status is determined by periodic checks by the Florida Department of Law Enforcement to determine if there is any maritime activity at the seaport. If such activity is occurring, the status will be changed to “active” for compliance purposes.

### **III. Effect of Proposed Changes:**

The bill clarifies existing law to provide that all public and private entities operating on public property on an active public seaport identified in s. 311.09, F.S., must conform to the statewide minimum security standards provided in s. 311.12, F.S.

This bill is effective upon becoming a law.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Economic Impact and Fiscal Note:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None.

#### **C. Government Sector Impact:**

None.

### **VI. Technical Deficiencies:**

None.

### **VII. Related Issues:**

None.

**VIII. Amendments:**

None.

---

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

---